



DOCKET NO: C01040.70010.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heather L. Davis et al.
Serial No: 09/768,012
Confirmation No: 9273
Filed: January 22, 2001
For: IMMUNOSTIMULATORY NUCLEIC ACIDS FOR
INDUCING A TH2 IMMUNE RESPONSE
Examiner: D. Nguyen
Art Unit: 1632

RECEIVED
AUG 12 2003
TECH CENTER 1600/2900

#19

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 5TH day of August, 2003.


Michelle M. Quinn

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART III: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

BEST AVAILABLE COPY



PCT/IB/2001/449/A and B (Modified)

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICATION NO.: 09/768,012

ATTY. DOCKET NO.: C01040.70010.US

FILING DATE: January 22, 2001

CONFIRMATION NO.: 9273

APPLICANT: Heather L. Davis et al.

GROUP ART UNIT: 1632

EXAMINER: D. Nguyen

Sheet 1 of 2

RECEIVED
AUG 2 2003
TECH CENTER 1600/2900

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A33	5,268,365		Rudolph et al.	12-07-1993
	A34	5,488,039		Masor et al.	01-30-1996
	A35	5,492,899		Masor et al.	02-20-1996
	A36	5,591,721		Agrawal et al.	01-07-1997
	A37	5,602,109		Masor et al.	02-11-1997
	A38	5,612,060		Alexander	03-18-1997
	A39	5,700,590		Masor et al.	12-23-1997
	A40	5,786,189		Locht et al.	07-28-1998
	A41	6,339,068		Davis et al.	01-15-2002
	A42	6,429,199		Krieg et al.	08-06-2002
	A43	6,406,705		Davis et al.	06-18-2002

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B47	WO	00/03683		Inex Pharmaceuticals Corporation	01-27-2000	
	B48	WO	99/55743		Inex Pharmaceuticals Corporation	11-04-1999	
	B49	WO	98/51278		Inex Pharmaceuticals Corporation	11-19-1998	

OTHER ART -- NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C86	Agrawal, <i>Tibtech</i> , 14:376-387, 1996	
	C87	Bates et al., <i>J. Bio. Chem.</i> , 274(37):26369-26377, 1999	
	C88	Boggs, et al. <i>Antisense Nucleic Acid Drug Dev</i> , 7(5):461-471, 1997	
	C89	Carter et al., <i>Int. J. Immunopharmac.</i> , 13(1):69-76, 1991	
	C90	Chace et al., <i>Clinical Immunology and Immunopathology</i> , 68(3):327-332, 1993	

EXAMINER

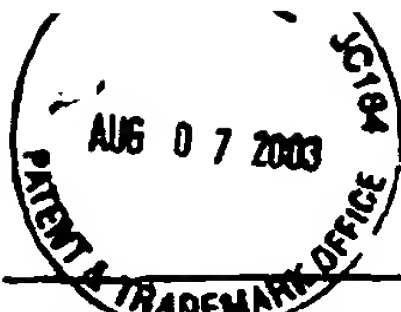
DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

BEST AVAILABLE COPY



FORM PTO 1449/A and B (Modified)

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICATION NO.: 09/768,012

A'ITY. DOCT. NO.: 0104070010.US

FILING DATE: January 22, 2001

CONFIRMATION NO.: 9273

APPLICANT: Heather L. Davis et al.

GROUP ART UNIT: 1632

EXAMINER: D. Nguyen

Sheet 2 of 2

RECEIVED
AUG 12 2003
TECH CENTER 1600/2900

C91	Daheshia et al., <i>Vaccine</i> , 16(11/12):1103-1110, 1998		
C92	Diamantstein		
C93	Ewel et al., <i>Cancer Res.</i> , 52(11):3005-3010, 1992		
C94	Fynan et al., <i>Proc Natl Acad Sci USA</i> , 90(24):11478-11482, 1993		
C95	Gao et al., <i>Mol Pharmacol</i> , 41:223-229, 1992		
C96	Hadden et al., <i>JAMA</i> 268(20):2964-2969		
C97	Hartmann, <i>Antisense & Nuc. Acid Drug Dev.</i> , 6:291-299, 1996		
C98	Hatzfeld, <i>J. J Exp Med</i> 174:925-929, 1991		
C99	Hefeneider, <i>Clin. Immunol. and Immunopath.</i> , 63(3):245-251, 1992		
C100	Hughes, <i>Antisense Res. & Dev.</i> , 4:211-215, 1994		
C101	Ishikawa, et al., <i>J. Immunol</i> , 150(9):3713-3727, 1993		
C102	Iverson et al., <i>Antisense Research and Development</i> , 4:43-52, 1994		
C103	Johnson, <i>Immunophar & Infectious Diseases</i> , 291-301, 1987		
C104	Karlin et al., <i>J of Virol</i> , 2889-2897, 1994		
C105	Kataoka, et al., <i>Jpn J. Med Sci. Bio</i> , 43:171-182, 1990		
C106	Kern et al., <i>Antimicrob. Agents & Chemo.</i> , 7(6):721-876(1975)		
C107	Khan, <i>Surgery</i> , 118:531-538, 1995		
C108	Krown, S.E., <i>Semin Oncol.</i> , 13(2):207-217, 1986		
C109	Kuramoto et al., <i>Jpn. J. Cncr Res.</i> , 83:1128-1131, 1992		
C110	Kuramoto et al., <i>Microbiol. Immunol.</i> , 33(11)929-940, 1989		
C111	Kuramoto et al., <i>Int. Immuno-pharmacol.</i> , 14(5):773-782, 1992		
C112	Lacour, et al., <i>J. Biol. Resp. Mod.</i> , 4:538-543, 1985		
C113	Levine et al., <i>Cancer Treat. Rep.</i> , 62(11):1907-1913, 1978		
C114	Levy et al., <i>J. Inf. Disease</i> , 133(Supp):A256-A259, 1976		
C115	Lowell, et al., <i>J. of Infec. Disease</i> , 175:292-301, 1997		
C116	Mashiba, et al., <i>Jpn. J. Med. Sci. Biol.</i> , 41:197-202, 1988		
C117	Michelson et al., <i>Proc. Soc. Exper. Biol. and Med.</i> , 179:180-186, 1985		
C118	Park et al., <i>J. Immunopharm</i> , 17(6):513-515, 1995		
C119	Pisetsky, <i>Antisense Research and Development</i> , 5(3):219-225 (1995)		
C120	Stull et al., <i>Pharmaceutical Res.</i> , 12(4):465-483, 1995		
C121	Threadgill, et al., <i>Vaccine</i> , 16(1):76-82, 1998		
C122	Tursz et al., <i>Immuno. Prosepects of Infectious Diseses</i> , 263-272, 1990		
C123	Uhlmann et al., <i>Chemical Reviews</i> , 90(4):543-584, 1990		
C124	Wiltrout, et al., <i>J. Biol. Resp. Mod.</i> , 4(5):512-7, 1985		
C125	Xin, et al., <i>Immunology</i> , 94:438-444, 1998		

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

BEST AVAILABLE